



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4536

by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

50 ILCS 705/10.4

65 ILCS 5/1-4-5

from Ch. 24, par. 1-4-5

Amends the Illinois Police Training Act. Provides that Illinois Law Enforcement Training Standards Board shall not require an application fee from any retired law enforcement officer seeking weapons certification from the Board. Amends the Illinois Municipal Code. Provides that in the case of injuries sustained as a result of the officer's actions, a municipality may indemnify a retired law enforcement officer who is certified by the Illinois Law Enforcement Training Standards Board.

LRB097 17463 KMW 62666 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Police Training Act is amended by
5 changing Section 10.4 as follows:

6 (50 ILCS 705/10.4)

7 Sec. 10.4. Weapon certification for retired law
8 enforcement officers. The Board may initiate, administer, and
9 conduct annual firearm certification courses consistent with
10 the requirements enumerated in the Peace Officer Firearm
11 Training Act for retired law enforcement officers qualified
12 under federal law to carry a concealed weapon. The Board shall
13 not require an application fee from any retired law enforcement
14 officer seeking certification.

15 (Source: P.A. 94-103, eff. 7-1-05.)

16 Section 10. The Illinois Municipal Code is amended by
17 changing Section 1-4-5 as follows:

18 (65 ILCS 5/1-4-5) (from Ch. 24, par. 1-4-5)

19 Sec. 1-4-5. In case any injury to the person or property of
20 another is caused by a member of the police department of a
21 municipality having a population of 500,000 or over, while the

1 member is engaged in the performance of his or her duties as a
2 police officer, and without the contributory negligence of the
3 injured person or the owner of the injured property, or the
4 agent or servant of the injured person or owner, the
5 municipality in whose behalf the member of the municipal police
6 department is performing his or her duties as a police officer
7 shall indemnify the police officer for any judgment recovered
8 against him or her as the result of such injury, except where
9 the injury results from the wilful misconduct of the police
10 officer. A municipality may indemnify a retired law enforcement
11 officer certified by the Illinois Law Enforcement Training
12 Standards Board for any judgment recovered against him or her
13 for injuries sustained as a result of the officer's actions. A
14 municipality, which is not otherwise required to indemnify
15 pursuant to this Section, may indemnify a police officer for
16 any judgment recovered against him or her for injuries
17 sustained as a result of the police officer's performance of
18 his duties as a police officer.

19 For the purposes of this section no civilian defense
20 worker, nor any member of any agency engaged in any civilian
21 defense activity, performing services as a part of any civilian
22 defense program, shall be considered to be a member of a
23 municipal police department.

24 If any person in obeying the command of any such police
25 officer to assist in arresting or securing an offender is
26 killed or injured or his or her property or that of his or her

1 employer is damaged and such death, injury or damage arises out
2 of and in the course of aiding such police officer in arresting
3 or endeavoring to arrest a person or retaking or endeavoring to
4 retake a person who has escaped from legal custody, the person
5 or employer so injured or whose property is so damaged or the
6 personal representatives of the person so killed shall have a
7 cause of action to recover the amount of such damage or injury
8 against the municipal corporation by which such police officer
9 is employed at the time such command is obeyed.

10 (Source: P.A. 84-551.)